

REMARKS

Claims 1-2, 10-12, 20-22 and 27-33 are pending in this application. By this Amendment, claims 1, 10, 11, 12, 20, 21, and 27-33 are amended. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Pappas in the April 23 and June 21 telephonic interviews. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

I. Formal Matters

In the Office Action, claim 12 is objected to. By this Amendment, claim 12 is amended consistent with the Examiner's suggestions. Claim 12 is thus concise and definite. Withdrawal of the objection is respectfully requested.

II. Claims 21, 22 and 27-33 Define Statutory Subject Matter

In the Office Action, claims 21, 22, and 27-33 are rejected under 35 U.S.C. §101 for allegedly being directed to non-statutory subject matter because a useful, concrete tangible result is not produced. This rejection is respectfully traversed.

Independent claims 21 and 27 both produce useful, concrete and tangible results. In particular, each recites "drawing an image viewable from a virtual camera in an object space in drawing order determined by the sorting processing while performing hidden-surface erasing based on a Z-buffer process for the objects within the depth cueing area." Drawing of such an image on an object space provides a useful, concrete and tangible result, as it allows a user, such as a player in a 3-D virtual game system, to realistically view and play a virtual reality game having such an object drawn in the object space for viewing by the user. This is a practical application that is more than an abstract idea as it transforms specific image data taken from the perspective of a perceived virtual camera position to a concrete representation that is drawn in the object space with specific drawing criteria. Accordingly, the methods of

independent claims 21 and 27 and claims 22, 32, and 33 dependent therefrom define statutory subject matter.

Regarding rejected claims 28-31, these claims actually depend from independent claims 1, 10, 11, and 20, respectively, which do not stand rejected under §101. Accordingly, as confirmed by Examiner Pappas during the June 21 telephone conference, the rejection of claims 28-31 under §101 is in error as the underlying base claims are directed to statutory subject matter. However, Applicants nonetheless amend dependent system claims 28 and 29 to further clarify that the processor performs processing to achieve the stated result. Applicants also revise claims 28-33 to clarify that depth cueing valve increase is based on an increase in the Z-valve. This is supported, for example, by Fig. 4 and pg. 18, line 12 to pg. 19, line 2 of Applicants' specification.

Withdrawal of the rejection is respectfully requested.

III. Pending Claims 1-2, 10-12, 20-22, and 27-33 Define Patentable Subject Matter

In the Office Action, claims 1, 2, 10-12, 20-22 and 27 are rejected under 35 U.S.C. §103(a) over *Computer Graphics: Principles and Practices* to Foley et al. in view of U.S. Patent Application Publication No. 2003/0011618A1 to Deering, further in view of U.S. Patent No. 5,990,904 to Griffin. This rejection is respectfully traversed.

As discussed during an April 23 telephone conference, independent claims 1, 10, 11, 20, 21 and 27 are amended to clarify "the depth cueing area only being set near a backward clipping plane of a viewing volume based on a position of the viewpoint." This is supported, for example, at page 15, lines 17-20. In this way, as shown in Figs. 3A and 3B, it is possible to perform unique alpha value processing and depth cueing processing with respect to only distant objects (such as building 20). Thus, flicker can be prevented in distant objects, while nearer objects, which do not have problems with flickering, to depth cueing processing and

unique alpha processing. This may achieve reduced processing load and improved display properties.

Accordingly, the subject matter embodied by independent claims 1, 10, 11, 20, 21, and 27 has advantages such as preventing screen flickering and reduced processing load achieved by setting a depth cueing area only near a backward clipping plane of a viewing volume.

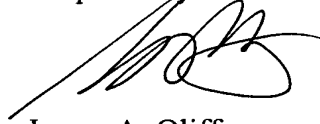
In contrast, Foley on pages 610-11 merely discloses allowing a user to specify front and back-depth cueing planes between which depth cueing is to occur "to restrict the effect to a limited range of depth." However, Foley fails to teach setting a limited range of depth only near a backward clipping plane of a viewing volume. Therefore, the unique advantages achieved by the claimed subject matter is not recognized nor attained by Foley. Deering and Griffin fail to overcome the deficiencies of Foley with respect to independent claims 1, 10, 11, 20, 21, and 27. Accordingly, these claims and claims dependent therefrom are not obvious from Foley alone or in combination with Deering and Griffin. Withdrawal of the rejection is respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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